IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY THE FIRST DAY OF OCTOBER
TWO THOUSAND AND SEVEN

PRESENT
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION No.24728 of 2006

Between:
R.Jagan Mohan Rao (died) per L.Rs.
R.Sudhakar Rao and 4 others

..... PETITIONERS

AND
The Special Deputy Collector, L.A.Unit,
L.M.D.Colony Karimnagar and 3 others

.....RESPONDENTS

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION No.24728 of 2006

ORDER:

This writ petition is filed by the petitioners, seeking direction to the respondents for payment of interest on solatium, which according to the petitioner, is payable in a sum of Rs.14,67,959/-, which was not paid or deposited in the E.P. The claim made by the petitioners is being disputed by the respondents.

At the time of hearing, the learned counsel for the petitioners placed a copy of the order passed by this Court in CRP.3666/2000, dated 18.10.2001, under which the order passed by the Executing Court in E.A.37/99, dated 07.07.2000, negativing the claim of the petitioners for interest on solatium, was set aside, and directed to decide the issue afresh in the light of the judgment of the Supreme Court in ***Sunder vs. Union of India***[1]***.***

It is stated by the learned counsel that admittedly, no orders have been passed by the Executing Court, after remand by this Court, as per the above referred revisional order. But, however, the petitioners have come up with the present writ petition, claiming that the petitioners are entitled for interest on solatium, which the respondents have not paid or deposited, therefore, sought for a direction.

Admittedly, there is no order passed by the Executing Court, determining the liability of the respondent-Land Acquisition Officer. In the absence of any order passed by the Executing Court, determining the amount that is payable either as market value or interest or interest

on solatium, the petitioners are not entitled to seek any relief in the present writ petition.

Therefore, the Writ Petition is devoid of merit, and the same is, accordingly, dismissed. However, the Executing Court is directed to dispose of the EA.37/99, in the light of the orders passed by this Court in CRP.3666/2000, dated 18.10.2001. No order as to costs.

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S.ANANDA REDDY.J

Dated:01.10.2007
Dsr

Note:
Registry is directed to communicate the
Copy of the order to the concerned
Court in one week.

B/o
Dsr

Note:
Issue copy in one week.

B/o
Dsr

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[1] 2001 (7) Supreme 37